

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal Case No. 05-10224-GAO
)	
J. C. ANDERSON,)	
Defendant.)	
)	

GOVERNMENT’S RESPONSE TO PETITIONER’S § 2255 MOTION

The United States of America, by its attorneys, Michael J. Sullivan, United States Attorney, and Leah B. Foley, Assistant U.S. Attorney, hereby files its Response to the Motion Under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody (the “§2255 Motion”) filed by *Pro Se* Petitioner J.C. Anderson (“defendant”).

On May 2, 2008, counsel for the defendant, Jessica Hedges, informed the undersigned assistant that the defendant was planing to withdraw his §2255 Motion. On May 7, 2008, the government received a copy of defendant’s *Motion to Withdraw his Earlier Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. §2255*. (Attachment 1).

The government respectfully requests this Court allow defendant to withdraw his §2255 Motion.

Dated: May 7, 2008

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Leah B. Foley
LEAH B. FOLEY
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon the individuals listed below a copy of the foregoing document by depositing in the United States mail a copy of same in an envelope bearing sufficient postage for delivery to defendant and by ECF notice to defense counsel:

Jessica Hedges, Esq.,
Hrones, Garrity & Hedges LLP
Lewis Wharf - Bay 232
Boston, MA 02110-3927

J.C. Anderson - Reg. No. 19860-038
FCI Allenwood Low
Federal Correctional Institution
P.O. Box 1000
White Deer, PA 17887

This 7th day of May 2008.

/s/ Leah B. Foley

Leah B. Foley
Assistant U.S. Attorney

Date: 5/05/2008

From: J.C. Anderson 19860-038
LSCI Allenwood
P.O. Box 1000
White Deer, PA 17887

To: Clerk of the Court
U.S. District Court
for the District of Massachusetts
1 Courthouse Way - Suite 2500
Boston, MA 02210

RE: Case No. 05-10224-GAO

To whom it may concern:

Please file and docket the enclosed: "Petitioner's Motion to Withdraw His Earlier Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 USC § 2255," in the above captioned matter. Petitioner makes this request voluntarily, upon his own volition, and without coercion.

Your cooperation and assistance is appreciated.

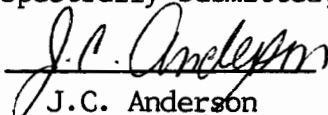
Certificate of Service

I, J.C. Anderson, certify that on May 5th, 2008, I mailed a true and complete copy of the subject motion (above) via first-class, pre-paid U.S. Mail to the following parties addressed below:

AUSA Leah B. Foley
Office of the U.S. Attorney
1 Courthouse Way
Boston, MA 02210

Attorney Jessica Hedges
Lewis Wharf - Bay 232
Boston, MA 02210

Respectfully Submitted,


J.C. Anderson

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

VS.

J.C. ANDERSON

Case No. 05-10224-GAO

PETITIONER'S MOTION TO WITHDRAW
HIS EARLIER MOTION TO VACATE,
SET ASIDE, OR CORRECT SENTENCE
PURSUANT TO 28 U.S.C. § 2255

COMES NOW, J.C. Anderson, Petitioner, pro se, and asks this Honorable Court to allow him to withdraw his earlier "Motion to Vacate, Set Aside, or Correct Sentence Pursuant to 28 U.S.C. § 2255," for good cause shown.

As cause, Petitioner in retrospect, believes the above-captioned matter does not possess merit and therefore for purposes of judicial economy, seeks to voluntarily withdraw the above-referenced (earlier) 28 U.S.C. § 2255 motion.

WHEREFORE, for the foregoing reasons, this cause of action should be allowed.

Respectfully Submitted,

J. C. Anderson